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**From:** Kevin Murphy [KMurphy@WladisLawFirm.com]  
**Sent:** 3/21/2016 6:38:04 PM  
**To:** Ludmer, Margo [ludmer.margo@epa.gov]; David W. Nunn [dwnunn@eastmansmith.com]  
**CC:** Doyle, James [Doyle.James@epa.gov]  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Yes, I can do a 4:15 call.

Kevin C. Murphy  
**The Wladis Law Firm, P.C.**  
P.O. Box 245, Syracuse, NY 13214  
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P 315/445-1700  
F 315/251-1073  
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**From:** Ludmer, Margo [mailto:ludmer.margo@epa.gov]  
**Sent:** Monday, March 21, 2016 2:06 PM  
**To:** Kevin Murphy; David W. Nunn  
**Cc:** Doyle, James  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

David and Kevin,  
Jim now has a conflict at 3pm. Could you both do 4:15pm?  
Apologies for the last-minute change.  
Margo

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**From:** Kevin Murphy [mailto:KMurphy@WladisLawFirm.com]  
**Sent:** Monday, March 21, 2016 10:13 AM  
**To:** Ludmer, Margo <ludmer.margo@epa.gov>; David W. Nunn <dwnunn@eastmansmith.com>  
**Cc:** Doyle, James <Doyle.James@epa.gov>  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Due to prior commitments and to maximize the potential that I will be on the call, I think it best we keep it @ 3:00.

P.S. I am 99+% confident w/ the call @ 3:00.

Kevin C. Murphy  
**The Wladis Law Firm, P.C.**

P.O. Box 245, Syracuse, NY 13214  
6312 Fly Road, East Syracuse, NY 13057

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**From:** Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]  
**Sent:** Monday, March 21, 2016 9:14 AM  
**To:** David W. Nunn; Kevin Murphy  
**Cc:** Doyle, James  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Thank you, David. Could you both do 2:45pm today? If not, 3pm is fine.

Margo

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**From:** David W. Nunn [<mailto:dwnunn@eastmansmith.com>]  
**Sent:** Sunday, March 20, 2016 1:04 PM  
**To:** Ludmer, Margo <[ludmer.margo@epa.gov](mailto:ludmer.margo@epa.gov)>  
**Cc:** 'Kevin C. Murphy' ([KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com))' <[KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com)>; Doyle, James <[Doyle.James@epa.gov](mailto:Doyle.James@epa.gov)>  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

Sorry, I was tied up Friday afternoon and unable to respond. Kevin and I could talk with you and Jim tomorrow at or after 3:00. Let us know if that works.

David

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**From:** Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]  
**Sent:** Friday, March 18, 2016 12:38 PM  
**To:** David W. Nunn  
**Cc:** 'Kevin C. Murphy' ([KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com)); Doyle, James  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

David,

Thank you for your email. Jim and I have reviewed the PRPs' proposed revisions. Might you and Kevin be available to discuss the AOC in advance of Thursday's PRP group call? Jim and I are available this afternoon around 3p.

Margo

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**From:** David W. Nunn [<mailto:dwnunn@eastmansmith.com>]  
**Sent:** Friday, March 18, 2016 9:51 AM

**To:** Ludmer, Margo <ludmer.margo@epa.gov>  
**Cc:** 'Kevin C. Murphy (KMurphy@WladisLawFirm.com)' <KMurphy@WladisLawFirm.com>  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

Attached is an AOC with PRP revisions redlined against a clean copy of EPA's last AOC. This redlined AOC reflects the collective comments of all 7 PRP attorneys/representatives. This AOC has not yet been approved by final decision-makers for the 7 PRPs, but, if acceptable to EPA, counsel would recommend the AOC to their clients and would seek final approval as quickly as possible.

The PRPs have also asked Arcadis to prepare changes to the SOW to reflect the timing of work concerns which we discussed on our last call with you and Jim. Arcadis will be asked to provide its proposed changes directly to Pam Tames for review.

If EPA would like to talk further about the AOC, representatives of the 7 PRPs invite you to join the next scheduled PRP group call on Thursday, March 24, at 4:00 eastern. We will provide you with dial-in instructions if you and Jim would like to join the call.

David

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**EASTMAN & SMITH LTD.**  
ATTORNEYS AT LAW

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**From:** Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]  
**Sent:** Wednesday, March 16, 2016 10:05 AM  
**To:** David W. Nunn  
**Cc:** 'Kevin C. Murphy (KMurphy@WladisLawFirm.com)'  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Hi David,

Are there any updates on the status of the PRP response?

Thank you,

Margo

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**From:** David W. Nunn [<mailto:dwnunn@eastmansmith.com>]  
**Sent:** Friday, March 11, 2016 2:11 PM  
**To:** Ludmer, Margo <[ludmer.margo@epa.gov](mailto:ludmer.margo@epa.gov)>  
**Cc:** 'Kevin C. Murphy ([KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com))' <[KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com)>  
**Subject:** RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

The LLC PRPs conferenced yesterday to discuss EPA's last AOC and reach consensus on outstanding issues. As a result of that call, there is still some circulation of comments occurring which is going to delay responding to EPA today. Kevin and I will keep you posted as to when a response will be forthcoming next week. Thank you.

David

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**From:** Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]  
**Sent:** Wednesday, March 02, 2016 10:54 AM  
**To:** David W. Nunn; 'Kevin C. Murphy ([KMurphy@WladisLawFirm.com](mailto:KMurphy@WladisLawFirm.com))'  
**Cc:** Doyle, James  
**Subject:** Lower Ley Creek RD AOC

David and Kevin,

Please find attached an updated version of the Lower Ley Creek RD AOC. EPA generated a clean copy of the AOC by accepting all changes to the September 2015 version of the order and inserting the December 2015 language on special account reimbursement, Respondents' covenant not to sue, and contribution protection. EPA then made edits to this document in track changes. These track changes indicate which of the PRP edits were incorporated.

Will you both be available this Friday afternoon for a conference call on the AOC?

Many thanks,  
Margo

Margo B. Ludmer  
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U.S. EPA  
Office of Regional Counsel, Region 2  
NY/Caribbean Superfund Branch  
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